

Danner, Ward

From: Armann, Steve
Sent: Friday, February 14, 2014 11:18 AM
To: Jennifer deNicola
Cc: Wilson, Patrick; Jeff Ruch; Santos, Carmen; Cota, Thomas@DTSC
Subject: RE: Malibu

Jennifer, EPA's involvement at the school is a result of regulatory requirements of the Toxic Substances Control Act (TSCA) PCB regulations (40 Code of Federal Regulations Part 761). Therefore, our investigation is limited to PCBs.

It may be helpful to contact Tom Cota to better understand the specifics of DTSC's oversight of soil contamination and how that **MIGHT** lead to indoor air testing.

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From: Jennifer deNicola [<mailto:jd18@me.com>]
Sent: Tuesday, February 11, 2014 4:47 PM
To: Armann, Steve
Cc: Wilson, Patrick; Jeff Ruch; Santos, Carmen
Subject: Malibu

Dear Steve:

Hope you are having a great day. I left you a voicemail regarding this as well. I have been forwarded this attachment by parents and have been asked several times why the EPA is only checking the classroom air for PCBs. In other EPA regions, the EPA has tested for all toxins in the air including but not limited to PCBs, like Oregon. Here in Malibu, we would love if you would test for all toxins, including but not limited to the ones that were found in the soil in 2010 in the classrooms.

From the district letter below from Sandra Lyon and Jan Maez, they are telling the BOE that the EPA will "concern itself with indoor air quality and building materials." Is this true? Please explain this to me.

Lastly, a group of parents has discovered that in WW2, the school site which includes Point Dume was a Military site. What does that mean for our investigation of contaminants?

Thank you!
Jennifer deNicola
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jd18@me.com

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/06/14

FROM: SANDRA LYON / JANECE L. MAEZ

RE: APPROVAL OF A VOLUNTARY INVESTIGATION AGREEMENT BETWEEN
THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC) AND SANTA
MONICA-MALIBU UNIFIED SCHOOL DISTRICT (SMMUSD)

RECOMMENDATION NO. A.10

It is recommended that the Board of Education the attached Voluntary Investigation Agreement between the Department of Toxic Substances Control (DTSC) and Santa Monica-Malibu Unified School District (SMMUSD).

COMMENT: As the District moves forward with further environmental investigation at Malibu High School, its work will be under the oversight of two primary lead agencies - the Environmental Protection Agency and California's Department of Toxic Substances Control. The EPA will primarily concern itself with indoor air quality and building materials, such as caulking. The DTSC will have oversight for the broader environmental investigation of other potential areas of contamination on the campus, as well control over any cleanup that may potentially be required. To expedite its involvement with property investigations, and to avoid the need for further regulatory action, the DTSC developed the Voluntary Investigation Program. While participants in the program are required to reimburse the DTSC for the staff time and expense to assist with the property investigation, DTSC's Voluntary Investigation Program provides a more efficient, streamlined, and cost-effective approach to site investigation and cleanup. The attached Voluntary Investigation Agreement is required to enter into the program and is accompanied by an estimate of oversight costs. The agreement is a standard agreement utilized for most projects (including other school investigation projects) and has been reviewed and approved by district counsel. The fees have similarly been evaluated and are typical of oversight charges.